

REMARKS

The Applicants hereby elect to prosecute the claims of Group I, claim 1. In response to the Requirement to Elect Species, Applicants elect breast cancer.

Applicants make the above elections with traverse, and reserve the right to petition for review. The present application is a National Stage filing of an International Application, and is thus governed by 37 C.F.R. 1.475, which states that "An international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention"). Where a group of inventions is claimed in an application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

The claims as amended are drawn to the special technical feature of a method of screening using a polypeptide or nucleic acid associated with PCTK3, and claims 1-3, 10 and 13 are generic to and read on the species. Accordingly, the Applicants traverse the restriction requirement.

The Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number KINE-038.

Respectfully submitted,

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Date: January 10, 2008

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